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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT TACOMA

11 CHRISTOPHER N. MILLER,

12 Petitioner,

13 v.

14 KENNETH QUINN,

15 Respondent.

16 Case No. C06-5694RJB

17 ORDER FOR SERVICE AND
18 RETURN, § 2254 PETITION

19 (1) The clerk shall arrange for service by certified mail upon respondent and the Attorney
20 General for the State of Washington, copies of the petition, all documents in support thereof. All costs of
21 service shall be advanced by the United States. The Clerk shall assemble the necessary documents to effect
22 service. In addition, the Clerk shall send petitioner a copy of this Order, along with a copy of the Court's
23 General Order regarding *pro se* litigation.

24 (2) Within forty-five (45) days after such service, respondent(s) shall file and serve an answer in
25 accordance with Rule 5 of the Rules Governing § 2254 Cases in United States District Courts. As part of
26 such answer, respondent(s) should state whether petitioner has exhausted available state remedies, whether
27 an evidentiary hearing is necessary, and whether there is any issue of abuse or delay under Rule 9.
28 Respondent shall not file a dispositive motion in place of an answer without first showing cause as to why
an answer is inadequate. Respondent(s) shall file the answer with the Clerk of the Court and serve a copy
of the answer upon petitioner.

29 (3) The answer will be treated in accordance with Local Rule CR 7. Accordingly, upon receipt

1 of the answer the Clerk will note the matter for consideration on the fourth Friday after the answer is filed,
2 petitioner may file and serve a response not later than on the Monday immediately preceding the Friday
3 appointed for consideration of the matter, and respondent my file and serve a reply brief not later than on
4 the Thursday immediately preceding the Friday designated for consideration of the matter.

5 DATED this 22nd day of December, 2006.

6 /s/ J. Kelley Arnold
7 J. Kelley Arnold
United States Magistrate Judge

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